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For Plaintiff FLEET CONNECT SOLUTIONS LLC

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

FLEET CONNECT SOLUTIONS
LLC,

Plaintiff,

v.

TELETRAC NAVMAN US LTD.,
Defendant.

Case No. _____

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

Plaintiff Fleet Connect Solutions LLC (“FCS” or “Plaintiff”) files this Complaint against Teletrac Navman US Ltd., (“Teletrac” or “Defendant”) alleging, based on its own knowledge as to itself and its own actions, and based on information and belief as to all other matters, as follows:

NATURE OF THE ACTION

1. This is a patent infringement action to stop Defendant’s infringement of the following United States Patents (collectively, the “Asserted Patents”):

	U.S. Patent No.	Title	Available At
A.	6,549,583	Optimum Phase Error Metric For OFDM Pilot Tone Tracking In Wireless LAN	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/6549583
B.	6,633,616	OFDM Pilot Tone Tracking For Wireless LAN	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/6633616
C.	6,941,223	Method And System For Dynamic Destination Routing	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/6941223
D.	7,058,040	Channel Interference Reduction	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/7058040
E.	7,123,926	System And Method For Providing Information To Users Based On The User's Location	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/7123926

	U.S. Patent No.	Title	Available At
F.	7,260,153	Multi Input Multi Output Wireless Communication Method And Apparatus Providing Extended Range And Extended Rate Across Imperfectly Estimated Channels	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/7260153
G.	7,450,955	System And Method For Tracking Vehicle Maintenance Information	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/7450955
H.	7,747,291	Wireless Communication Method	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/7747291
I.	8,005,053	Channel Interference Reduction	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/8005053
J.	8,862,184	System And Methods For Management Of Mobile Field Assets Via Wireless Handheld Devices	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/8862184
K.	10,671,949	System And Methods For Management Of Mobile Field Assets Via Wireless Handheld Devices	https://ppubs.uspto.gov/dirs/earch-public/print/downloadPdf/10671949

2. Plaintiff seeks monetary damages.

PARTIES

3. Plaintiff is a limited liability company formed under the laws of Texas with a registered office address located in Austin, Texas (Travis County).

1 4. Teletrac is a limited liability company organized under the laws of the
2 State of Delaware with its principal place of business located at 310 Commerce,
3 Suite 100, Irvine, California 92602.

4 5. Teletrac may be served through its registered agent for service, 1505
5 Corporation CSC Lawyers Incorporating Service, located at 2710 Gateway Oaks
6 Drive, Sacramento, California 95833.

7 **JURISDICTION AND VENUE**

8 6. FCS repeats and re-alleges the allegations in the Paragraphs above as
9 though fully set forth in their entirety.

10 7. This is an action for infringement of a United States patent arising under
11 35 U.S.C. §§ 271, 281, and 284–85, among others. This Court has subject matter
12 jurisdiction of the action under 28 U.S.C. § 1331 and § 1338(a).

13 8. Venue is proper against Defendant in this District pursuant to 28 U.S.C.
14 § 1400(b) and 1391(c) because it has maintained established and regular places of
15 business in this District and has committed acts of patent infringement in the
16 District. *See In re: Cray Inc.*, 871 F.3d 1355, 1362-1363 (Fed. Cir. 2017).

17 9. Defendant is subject to this Court's specific and general personal
18 jurisdiction under due process and/or the California Long Arm Statute due at least
19 to Defendant's substantial business in this judicial district, including: (i) at least a
20 portion of the infringements alleged herein; and (ii) regularly doing or soliciting
21 business, engaging in other persistent courses of conduct, or deriving substantial
22 revenue from goods and services provided to individuals in California and in this
23 district.

24 10. Specifically, Defendant intends to do and does business in, and has
25 committed acts of infringement in this District directly and through intermediaries,
26 and offered its products or services, including those accused of infringement here,
27 to customers and potential customers located in California, including in this
28

District.

11. Defendant maintains regular and established places of business in this District.

12. For example, Defendant owns, operates, manages, conduct businesses, and directs and controls the operations and employees of facilities at several locations in this District.

13. Defendant maintains its principal place of business in this District.

14. Defendant has committed acts of infringement from this district, including, but not limited to, use of the Accused Products.

THE ACCUSED PRODUCTS

15. FCS repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

16. Based upon public information, Defendant owns, operates, advertises, and/or controls the website www.teletracnavman.com through which it advertises, sells, offers to sell, provides and/or educates customers about its products and services.

17. Defendant manufactures, uses, causes to be used, sells, offers for sale, provides, supplies, or distributes fleet management platform and tracking solution systems.

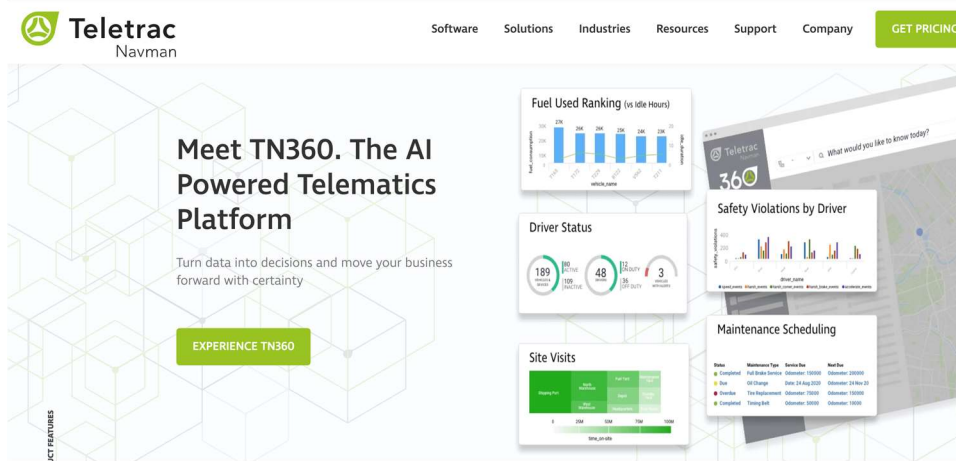
18. Defendant manufactures, uses, causes to be used, sells, offers for sale, provides, supplies, or distributes the Teletrac Navman fleet management platform and tracking solution, which includes, but is not limited to, the TN480, ATS1, Qube300, VT101, VT102, ST101, SI201, RE200, RE400, AT301, MT201, MT501, Smart Quad-Dashcam, Smart Dual-Dashcam, TN360 - Power Take-Off Sensor, Fleet Director Tablet, Teletrac Drive Tablet (each of the forgoing, a “Teletrac Device,” and collectively, the “Teletrac Devices”), Teletrac’s ELD on TN360, DIRECTOR® Electronic Logging Device, TN360 Mobile App(lication),

1 DRIVE App(lication) for Android, TN360 Sentinel ELD App(lication), TN360
2 Messaging App(lication), Insights from TN360, TN360 SmartJobs App(lication),
3 TN360 EasyDocs App(lication), TN360 Forms App(lication), Journey Planner
4 App(lication), SmartNav Route App(lication), TN360 Pre-trip Checklist
5 App(lication), TN360 dashboard/software platform, TN360 Fleet Management
6 Software, TN360 ACM Equipment Management Software, GPS Asset Tracking
7 Systems, (each of the forgoing, a “Teletrac App,” and collectively, the “Teletrac
8 Apps”), and associated hardware, software, applications, and functionality
9 (collectively, the “Accused Products”).

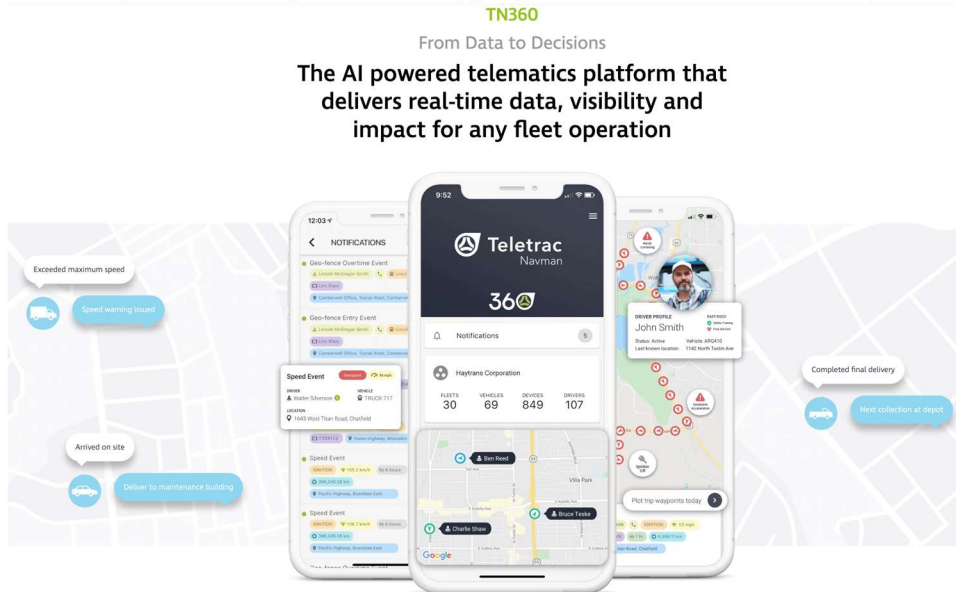
10 19. The Accused Products perform wireless communications and methods
11 associated with performing and/or implementing wireless communications
12 including, but not limited to, wireless communications and methods pursuant to
13 various communication standards, protocols, and implementations, including, but
14 not limited to, Bluetooth, IEEE 802.11, and LTE protocols and various subsections
15 thereof, including, but not limited to, 802.11a, 802.11ac, 802.11b, 802.11g, and
16 802.11n.

17 20. The wireless communications performed and/or implemented by the
18 Accused Products, among other things, transmit data over various media, compute
19 time slot channels, generate packets for network transmissions, perform or cause
20 to be performed error estimation in orthogonal frequency division multiplexed
21 (“OFDM”) receivers, and various methods of processing OFDM symbols.

22 21. The Accused Products also track, analyze, and report vehicle
23 maintenance needs, track or cause to be tracked vehicle locations, and allow for
24 communication between a system administrator and a remote unit, including
25 broadcasting advisory communications.
26
27
28



(Source: <https://fleetlogging.com/teletrac-navman/>)



(Source: <https://www.dnavdeej.com/teletrac-navman-complexity>)



Teletrac Drive is a comprehensive application suite for Android™ that offers users a variety of advanced in-vehicle apps, including turn-by-turn, voice guided navigation and two-way messaging. Teletrac Android-based tablets are fully equipped with the built-in Drive suite and Bluetooth capable, allowing drivers to stay guided and connected via a wireless, easy-to-use platform.

This guide describes how to use the Navigation and Messaging Apps, as well as how to set Bluetooth connection for in-vehicle device use.

(Source: https://community.teletrac.com/teletrac.com/assets/2014-04-23_android%20tablet%20user%20guide.pdf)

Introduction to the Fleet Director Tablet



Note: The above image displays the Main Screen on the Tablet configured for HOS.

Tablet Modes

The following information is only when the HOS application is configured for the vehicle.

The Tablet is connected to the Prism unit (black box) which is installed in the vehicle. The Prism unit in turn is connected to the vehicle's diagnostics and knows whether the vehicle is moving or stationary at any given time. The Prism unit can then command the Tablet to lock or unlock for use depending on vehicle movement. This feature is in place for safety reasons.

(Source: https://community.teletrac.com/teletrac.com/assets/fleetdirector%20tabletguide_hos.pdf)

Download The Case Study Here.

When Teletrac was choosing a platform to provide more value to customers earlier this year they turned to Android.

A new case study by Samsung illustrates how Teletrac has built a more robust and flexible logistics platform for its customers and their drivers on the Android platform.

A key way has been by integrating Samsung's Galaxy Tab and its Android operating system to host Teletrac's Drive app. Teletrac Drive for Android allows users to access multiple app-based functions, such as messaging, GPS navigation and compliance solutions.

The app suite is currently available on the Teletrac Tablet for Android and the 7-inch Samsung Galaxy Tab 3.

The case study notes the benefits of the Tablet, including wireless connectivity: "The Teletrac system includes a Vehicle Location Unit (VLU), which is a small device installed in the truck and pings location and diagnostic information back to the Teletrac Cloud Services and Fleet Director Software. Unlike the previous tablet that had to be hard-wired to the VLU, the Samsung Galaxy Tab wirelessly connects to the VLU over Bluetooth, which significantly reduces installation time and cost.

Depending on customer preference, the tablet can be removed from the enclosure and used by drivers when they stop for meals or overnight rests."

Customers with the Android offering have embraced the new user experience.

Teletrac customer A.N. Webber noted it takes them less time to download logs, access reports and receive updates on delivery routes. "The trucking business is highly competitive, and we are always looking for ways to improve driver productivity and satisfaction," said Rob Koch, Vice President of Operations, A.N. Webber.

(Source: <https://www.teletracnavman.com/resources/blog/samsung-highlights-gps-benefits>)

22. For these reasons and the additional reasons detailed below, the Accused Products practice at least one claim of each of the Asserted Patents.

COUNT I: INFRINGEMENT OF U.S. PATENT NO. 6,549,583

23. FCS repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

24. The USPTO duly issued U.S. Patent No. 6,549,583 (hereinafter, the "'583 patent") on April 15, 2003 after full and fair examination of Application No. 09/790,429 which was filed on February 21, 2001.

25. FCS owns all substantial rights, interest, and title in and to the '583

1 patent, including the sole and exclusive right to prosecute this action and enforce
2 the '583 patent against infringers and to collect damages for all relevant times.

3 26. The claims of the '583 patent are not directed to an abstract idea and are
4 not limited to well-understood, routine, or conventional activity. Rather, the
5 claimed inventions include inventive components that improve upon the function
6 and operation of preexisting error estimation methods.

7 27. The written description of the '583 patent describes in technical detail
8 each limitation of the claims, allowing a skilled artisan to understand the scope of
9 the claims and how the non-conventional and non-generic combination of claim
10 limitations is patently distinct from and improved upon what may have been
11 considered conventional or generic in the art at the time of the invention.

12 28. Based upon information and belief, FCS is informed and believes that
13 Defendant has directly infringed one or more claims of the '583 patent by making,
14 using, selling, offering to sell, importing, and/or internal and external testing of the
15 Accused Products.

16 29. Upon information and belief, Defendant has directly infringed, either
17 literally or under the doctrine of equivalents, at least claim 1 of the '583 patent.

18 30. An example of Defendant's infringement of claim 1 is provided in
19 **Exhibit A.**

20 31. FCS or its predecessors-in-interest have satisfied all statutory obligations
21 required to collect pre-filing damages for the full period allowed by law for
22 infringement of the '583 patent.

23 32. FCS has been damaged as a result of the infringing conduct by
24 Defendant alleged above. Thus, Defendant is liable to FCS in an amount that
25 compensates it for such infringements, which by law cannot be less than a
26 reasonable royalty, together with interest and costs as fixed by this Court under
27 U.S.C. § 284.
28

COUNT II: INFRINGEMENT OF U.S. PATENT NO. 6,633,616

33. FCS repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

34. The USPTO duly issued U.S. Patent No. 6,633,616 (hereinafter, the “’616 patent”) on October 14, 2003 after full and fair examination of Application No. 09/935,081 which was filed on August 21, 2001.

35. FCS owns all substantial rights, interest, and title in and to the ’616 patent, including the sole and exclusive right to prosecute this action and enforce the ’616 patent against infringers and to collect damages for all relevant times.

36. The claims of the ’616 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of preexisting methods of producing or generating a pilot phase error metric.

37. The written description of the ’616 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

38. Based upon information and belief, FCS is informed and believes that Defendant has directly infringed one or more claims of the ’616 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

39. Upon information and belief, Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 12 of the ’616 patent.

40. An example of Defendant’s infringement of claim 12 is provided in **Exhibit B.**

1 41. FCS or its predecessors-in-interest have satisfied all statutory obligations
2 required to collect pre-filing damages for the full period allowed by law for
3 infringement of the '616 patent.

4 42. FCS has been damaged as a result of the infringing conduct by Defendant
5 alleged above. Thus, Defendant is liable to FCS in an amount that compensates it
6 for such infringements, which by law cannot be less than a reasonable royalty,
7 together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

8 **COUNT III: INFRINGEMENT OF U.S. PATENT NO. 6,941,223**

9 43. FCS repeats and re-alleges the allegations in the Paragraphs above as
10 though fully set forth in their entirety.

11 44. The USPTO duly issued U.S. Patent No. 6,941,223 (hereinafter, the
12 “’223 patent”) on September 6, 2005 after full and fair examination of Application
13 No. 10/339,663 which was filed on January 10, 2003.

14 45. FCS owns all substantial rights, interest, and title in and to the '223
15 patent, including the sole and exclusive right to prosecute this action and enforce
16 the '223 patent against infringers and to collect damages for all relevant times.

17 46. The claims of the '223 patent are not directed to an abstract idea and are
18 not limited to well-understood, routine, or conventional activity. Rather, the
19 claimed inventions include inventive components that improve upon the function
20 and operation of preexisting error estimation methods.

21 47. The written description of the '223 patent describes in technical detail
22 each limitation of the claims, allowing a skilled artisan to understand the scope of
23 the claims and how the non-conventional and non-generic combination of claim
24 limitations is patently distinct from and improved upon what may have been
25 considered conventional or generic in the art at the time of the invention.

26 48. Based upon information and belief, FCS is informed and believes that
27 Defendant has directly infringed one or more claims of the '223 patent by making,
28

1 using, selling, offering to sell, importing, and/or internal and external testing of the
2 Accused Products.

3 49. Upon information and belief, Defendant has directly infringed, either
4 literally or under the doctrine of equivalents, at least claim 19 of the '223 patent.

5 50. An example of Defendant's infringement of claim 19 is provided in
6 **Exhibit C.**

7 51. FCS or its predecessors-in-interest have satisfied all statutory obligations
8 required to collect pre-filing damages for the full period allowed by law for
9 infringement of the '223 patent.

10 52. FCS has been damaged as a result of the infringing conduct by Defendant
11 alleged above. Thus, Defendant is liable to FCS in an amount that compensates it
12 for such infringements, which by law cannot be less than a reasonable royalty,
13 together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

14 **COUNT IV: INFRINGEMENT OF U.S. PATENT NO. 7,058,040**

15 53. FCS repeats and re-alleges the allegations in the Paragraphs above as
16 though fully set forth in their entirety.

17 54. The USPTO duly issued U.S. Patent No. 7,058,040 (hereinafter, the
18 "'040 patent") on June 6, 2006 after full and fair examination of Application No.
19 09/962,718 which was filed on September 21, 2001.

20 55. FCS owns all substantial rights, interest, and title in and to the '040
21 patent, including the sole and exclusive right to prosecute this action and enforce
22 the '040 patent against infringers and to collect damages for all relevant times.

23 56. The claims of the '040 patent are not directed to an abstract idea and are
24 not limited to well-understood, routine, or conventional activity. Rather, the
25 claimed inventions include inventive components that improve upon the function
26 and operation of preexisting methods of transmitting data over media having
27 overlapping frequencies.
28

1 57. The written description of the '040 patent describes in technical detail
2 each limitation of the claims, allowing a skilled artisan to understand the scope of
3 the claims and how the non-conventional and non-generic combination of claim
4 limitations is patently distinct from and improved upon what may have been
5 considered conventional or generic in the art at the time of the invention.

6 58. Based upon information and belief, FCS is informed and believes that
7 Defendant has directly infringed one or more claims of the '040 patent by making,
8 using, selling, offering to sell, importing, and/or internal and external testing of the
9 Accused Products.

10 59. Upon information and belief, Defendant has directly infringed, either
11 literally or under the doctrine of equivalents, at least claim 1 of the '040 patent.

12 60. An example of Defendant's infringement of claim 1 is provided in
13 **Exhibit D.**

14 61. FCS or its predecessors-in-interest have satisfied all statutory obligations
15 required to collect pre-filing damages for the full period allowed by law for
16 infringement of the '040 patent.

17 62. FCS has been damaged as a result of the infringing conduct by Defendant
18 alleged above. Thus, Defendant is liable to FCS in an amount that compensates it
19 for such infringements, which by law cannot be less than a reasonable royalty,
20 together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

21 **COUNT V: INFRINGEMENT OF U.S. PATENT NO. 7,123,926**

22 63. FCS repeats and re-alleges the allegations in the Paragraphs above as
23 though fully set forth in their entirety.

24 64. The USPTO duly issued U.S. Patent No. 7,123,926 (the "'926 patent")
25 on August 15, 2006, after full and fair examination of Application No. 10/679,784
26 which was filed on October 6, 2003.

27 65. FCS owns all substantial rights, interest, and title in and to the '926
28

1 patent, including the sole and exclusive right to prosecute this action and enforce
2 the '926 patent against infringers and to collect damages for all relevant times.

3 66. The claims of the '926 patent are not directed to an abstract idea and are
4 not limited to well-understood, routine, or conventional activity. Rather, the
5 claimed inventions include inventive components that improve upon the function
6 and operation of voice and data communications systems.

7 67. The written description of the '926 patent describes in technical detail
8 each limitation of the claims, allowing a skilled artisan to understand the scope of
9 the claims and how the non-conventional and non-generic combination of claim
10 limitations is patently distinct from and improved upon what may have been
11 considered conventional or generic in the art at the time of the invention.

12 68. Based upon information and belief, FCS is informed and believes that
13 Defendant has directly infringed one or more claims of the '926 patent by making,
14 using, selling, offering to sell, importing, and/or internal and external testing of the
15 Accused Products.

16 69. Upon information and belief, Defendant has directly infringed, either
17 literally or under the doctrine of equivalents, at least claim 1 of the '926 patent.

18 70. An example of Defendant's infringement of claim 1 is provided in
19 **Exhibit E.**

20 71. FCS or its predecessors-in-interest have satisfied all statutory obligations
21 required to collect pre-filing damages for the full period allowed by law for
22 infringement of the '926 patent.

23 72. FCS has been damaged as a result of the infringing conduct by
24 Defendant alleged above. Thus, Defendant is liable to FCS in an amount that
25 compensates it for such infringements, which by law cannot be less than a
26 reasonable royalty, together with interest and costs as fixed by this Court under 35
27 U.S.C. § 284.

COUNT VI: INFRINGEMENT OF U.S. PATENT NO. 7,260,153

73. FCS repeats and re-alleges the allegations in the Paragraphs above as though fully set forth in their entirety.

74. The USPTO duly issued U.S. Patent No. 7,260,153 (hereinafter, the “’153 patent”) on August 21, 2007 after full and fair examination of Application No. 10/423,447 which was filed on April 28, 2003.

75. FCS owns all substantial rights, interest, and title in and to the ’153 patent, including the sole and exclusive right to prosecute this action and enforce the ’153 patent against infringers and to collect damages for all relevant times.

76. The claims of the ’153 patent are not directed to an abstract idea and are not limited to well-understood, routine, or conventional activity. Rather, the claimed inventions include inventive components that improve upon the function and operation of voice and data communications systems.

77. The written description of the ’153 patent describes in technical detail each limitation of the claims, allowing a skilled artisan to understand the scope of the claims and how the non-conventional and non-generic combination of claim limitations is patently distinct from and improved upon what may have been considered conventional or generic in the art at the time of the invention.

78. Based upon information and belief, FCS is informed and believes that Defendant has directly infringed one or more claims of the ’153 patent by making, using, selling, offering to sell, importing, and/or internal and external testing of the Accused Products.

79. Upon information and belief, Defendant has directly infringed, either literally or under the doctrine of equivalents, at least claim 1 of the ’153 patent.

80. An example of Defendant’s infringement of claim 1 is provided in **Exhibit F**.

81. Since at least the time of receiving the original complaint in this action,

1 Defendant has indirectly infringed and continues to indirectly infringe the '153
2 patent by inducing others to directly infringe the '153 patent. Defendant has
3 induced and continues to induce customers and end-users, including, but not
4 limited to, Defendant's customers, employees, partners, contractors, customers
5 and/or potential customers, to directly infringe, either literally or under the doctrine
6 of equivalents, the '153 patent by providing or requiring use of the Accused
7 Products. Defendant has taken active steps, directly or through contractual
8 relationships with others, with the specific intent to cause them to use the Accused
9 Products in a manner that infringes one or more claims of the '153 patent,
10 including, for example, claim 1.

11 82. Such steps by Defendant have included, among other things, advising or
12 directing customers, personnel, contractors, or end-users to use the Accused
13 Products in an infringing manner; advertising and promoting the use of the Accused
14 Products in an infringing manner; distributing instructions that guide users to use
15 the Accused Products in an infringing manner; and/or instructional and technical
16 support on its website/dashboard and/or *via* the Teletrac Apps. Defendant has been
17 performing these steps, which constitute induced infringement with the knowledge
18 of the '153 patent and with the knowledge that the induced acts constitute
19 infringement. Defendant has been aware that the normal and customary use of the
20 Accused Products by others would infringe the '153 patent. Defendant's
21 inducement is ongoing.

22 83. Defendant has indirectly infringed and continues to indirectly infringe
23 by contributing to the infringement of the '153 patent. Defendant has contributed
24 and continues to contribute to the direct infringement of the '153 patent by its
25 customers, personnel, and contractors. The Accused Products have special features
26 that are specially designed to be used in an infringing way and that have no
27 substantial uses other than ones that infringe one or more claims of the '153 patent,
28

1 including, for example, claim 1. The special features constitute a material part of
2 the invention of one or more of the claims of the '153 patent and are not staple
3 articles of commerce suitable for substantial non-infringing use. Defendant's
4 contributory infringement is ongoing.

5 84. Defendant had knowledge of the '153 patent at least as of the date when
6 it was notified of the filing of this action.

7 85. Furthermore, on information and belief, Defendant has a policy or
8 practice of not reviewing the patents of others, including instructing its employees
9 to not review the patents of others, and thus has been willfully blind of FCS's patent
10 rights.

11 86. Defendant's actions are at least objectively reckless as to the risk of
12 infringing a valid patent and this objective risk was either known or should have
13 been known by Defendant.

14 87. Defendant's direct infringement of the '153 patent is, has been, and
15 continues to be willful, intentional, deliberate, or in conscious disregard of FCS's
16 rights under the patent.

17 88. FCS or its predecessors-in-interest have satisfied all statutory obligations
18 required to collect pre-filing damages for the full period allowed by law for
19 infringement of the '153 patent.

20 89. FCS has been damaged as a result of the infringing conduct by
21 Defendant alleged above. Thus, Defendant is liable to FCS in an amount that
22 compensates it for such infringements, which by law cannot be less than a
23 reasonable royalty, together with interest and costs as fixed by this Court under 35
24 U.S.C. § 284.

25 90. FCS has suffered irreparable harm, through its loss of market share and
26 goodwill, for which there is no adequate remedy at law. FCS has and will continue
27 to suffer this harm by virtue of Defendant's infringement of the '153 patent.
28

1 Defendant's actions have interfered with and will interfere with FCS's ability to
2 license technology. The balance of hardships favors FCS's ability to
3 commercialize its own ideas and technology. The public interest in allowing FCS
4 to enforce its right to exclude outweighs other public interests, which supports
5 injunctive relief in this case.

6 **COUNT VII: INFRINGEMENT OF U.S. PATENT NO. 7,450,955**

7 91. FCS repeats and re-alleges the allegations in the Paragraphs above as
8 though fully set forth in their entirety.

9 92. The USPTO duly issued U.S. Patent No. 7,450,955 (hereinafter, the
10 "'955 patent") on November 11, 2008 after full and fair examination of Application
11 No. 11/524,858 which was filed on September 20, 2006. A Certificate of
12 Correction was issued on September 24, 2013. A second Certificate of Correction
13 was issued on May 1, 2018.

14 93. FCS owns all substantial rights, interest, and title in and to the '955
15 patent, including the sole and exclusive right to prosecute this action and enforce
16 the '955 patent against infringers and to collect damages for all relevant times.

17 94. The claims of the '955 patent are not directed to an abstract idea and are
18 not limited to well-understood, routine, or conventional activity. Rather, the
19 claimed inventions include inventive components that improve upon the function
20 and operation of preexisting methods and systems for tracking vehicle maintenance
21 information.

22 95. The written description of the '955 patent describes in technical detail
23 each limitation of the claims, allowing a skilled artisan to understand the scope of
24 the claims and how the non-conventional and non-generic combination of claim
25 limitations is patently distinct from and improved upon what may have been
26 considered conventional or generic in the art at the time of the invention.

27 96. Based upon information and belief, FCS is informed and believes that
28

1 Defendant has directly infringed one or more claims of the '955 patent by making,
2 using, selling, offering to sell, importing, and/or internal and external testing of the
3 Accused Products.

4 97. Upon information and belief, Defendant has directly infringed, either
5 literally or under the doctrine of equivalents, at least claim 1 of the '955 patent.

6 98. An example of Defendant's infringement of claim 1 is provided in
7 **Exhibit G.**

8 99. FCS or its predecessors-in-interest have satisfied all statutory obligations
9 required to collect pre-filing damages for the full period allowed by law for
10 infringement of the '955 patent.

11 100. FCS has been damaged as a result of the infringing conduct by
12 Defendant alleged above. Thus, Defendant is liable to FCS in an amount that
13 compensates it for such infringements, which by law cannot be less than a
14 reasonable royalty, together with interest and costs as fixed by this Court under 35
15 U.S.C. § 284.

16 **COUNT VIII: INFRINGEMENT OF U.S. PATENT NO. 7,747,291**

17 101. FCS repeats and re-alleges the allegations in the Paragraphs above as
18 though fully set forth in their entirety.

19 102. The USPTO duly issued U.S. Patent No. 7,747,291 (hereinafter, the
20 "'291 patent") on June 29, 2010 after full and fair examination of Application No.
21 12/546,650 which was filed on August 24, 2009.

22 103. FCS owns all substantial rights, interest, and title in and to the '291
23 patent, including the sole and exclusive right to prosecute this action and enforce
24 the '291 patent against infringers and to collect damages for all relevant times.

25 104. The claims of the '291 patent are not directed to an abstract idea and are
26 not limited to well-understood, routine, or conventional activity. Rather, the
27 claimed inventions include inventive components that improve upon the function
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1 and operation of preexisting systems and methods for mobile vehicle-based
2 communications systems utilizing short-range communication links.

3 105. The written description of the '291 patent describes in technical detail
4 each limitation of the claims, allowing a skilled artisan to understand the scope of
5 the claims and how the non-conventional and non-generic combination of claim
6 limitations is patently distinct from and improved upon what may have been
7 considered conventional or generic in the art at the time of the invention.

8 106. Based upon information and belief, FCS is informed and believes that
9 Defendant has directly infringed one or more claims of the '291 patent by making,
10 using, selling, offering to sell, importing, and/or internal and external testing of the
11 Accused Products.

12 107. Upon information and belief, Defendant has directly infringed, either
13 literally or under the doctrine of equivalents, at least claim 20 of the '291 patent.

14 108. An example of Defendant's infringement of claim 20 is provided in
15 **Exhibit H.**

16 109. FCS or its predecessors-in-interest have satisfied all statutory obligations
17 required to collect pre-filing damages for the full period allowed by law for
18 infringement of the '291 patent.

19 110. FCS has been damaged as a result of the infringing conduct by
20 Defendant alleged above. Thus, Defendant is liable to FCS in an amount that
21 compensates it for such infringements, which by law cannot be less than a
22 reasonable royalty, together with interest and costs as fixed by this Court under 35
23 U.S.C. § 284.

24 **COUNT IX: INFRINGEMENT OF U.S. PATENT NO. 8,005,053**

25 111. FCS repeats and re-alleges the allegations in the Paragraphs above as
26 though fully set forth in their entirety.

27 112. The USPTO duly issued U.S. Patent No. 8,005,053 (hereinafter, the
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1 “’053 patent”) on August 23, 2011 after full and fair examination of Application
2 No. 12/696,760 which was filed on January 29, 2010. A Certificate of Correction
3 was issued on February 14, 2012.

4 113. FCS owns all substantial rights, interest, and title in and to the ’053
5 patent, including the sole and exclusive right to prosecute this action and enforce
6 the ’053 patent against infringers and to collect damages for all relevant times.

7 114. The claims of the ’053 patent are not directed to an abstract idea and are
8 not limited to well-understood, routine, or conventional activity. Rather, the
9 claimed inventions include inventive components that improve upon the function
10 and operation of preexisting systems and methods of data transmission in wireless
11 communication systems.

12 115. The written description of the ’053 patent describes in technical detail
13 each limitation of the claims, allowing a skilled artisan to understand the scope of
14 the claims and how the non-conventional and non-generic combination of claim
15 limitations is patently distinct from and improved upon what may have been
16 considered conventional or generic in the art at the time of the invention.

17 116. Based upon information and belief, FCS is informed and believes that
18 Defendant has directly infringed one or more claims of the ’053 patent by making,
19 using, selling, offering to sell, importing, and/or internal and external testing of the
20 Accused Products.

21 117. Upon information and belief, Defendant has directly infringed, either
22 literally or under the doctrine of equivalents, at least claim 1 of the ’053 patent.

23 118. An example of Defendant’s infringement of claim 1 is provided in
24 **Exhibit I.**

25 119. FCS or its predecessors-in-interest have satisfied all statutory obligations
26 required to collect pre-filing damages for the full period allowed by law for
27 infringement of the ’053 patent.

1 120. FCS has been damaged as a result of the infringing conduct by
2 Defendant alleged above. Thus, Defendant is liable to FCS in an amount that
3 compensates it for such infringements, which by law cannot be less than a
4 reasonable royalty, together with interest and costs as fixed by this Court under 35
5 U.S.C. § 284.

6 **COUNT X: INFRINGEMENT OF U.S. PATENT NO. 8,862,184**

7 121. FCS repeats and re-alleges the allegations in the Paragraphs above as
8 though fully set forth in their entirety.

9 122. The USPTO duly issued U.S. Patent No. 8,862,184 (hereinafter, the
10 “’184 patent”) on October 14, 2014 after full and fair examination of Application
11 No. 13/925,692 which was filed on June 24, 2013.

12 123. FCS owns all substantial rights, interest, and title in and to the ’184
13 patent, including the sole and exclusive right to prosecute this action and enforce
14 the ’184 patent against infringers and to collect damages for all relevant times.

15 124. The claims of the ’184 patent are not directed to an abstract idea and are
16 not limited to well-understood, routine, or conventional activity. Rather, the
17 claimed inventions include inventive components that improve upon the function
18 and operation of preexisting systems and methods of collecting and communicating
19 field data based on geographical location.

20 125. The written description of the ’184 patent describes in technical detail
21 each limitation of the claims, allowing a skilled artisan to understand the scope of
22 the claims and how the non-conventional and non-generic combination of claim
23 limitations is patently distinct from and improved upon what may have been
24 considered conventional or generic in the art at the time of the invention.

25 126. Based upon information and belief, FCS is informed and believes that
26 Defendant has directly infringed one or more claims of the ’184 patent by making,
27 using, selling, offering to sell, importing, and/or internal and external testing of the
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1 Accused Products.

2 127. Upon information and belief, Defendant has directly infringed, either
3 literally or under the doctrine of equivalents, at least claim 1 of the '184 patent.

4 128. An example of Defendant's infringement of claim 1 is provided in
5 **Exhibit J.**

6 129. FCS or its predecessors-in-interest have satisfied all statutory obligations
7 required to collect pre-filing damages for the full period allowed by law for
8 infringement of the '184 patent.

9 130. FCS has been damaged as a result of the infringing conduct by
10 Defendant alleged above. Thus, Defendant is liable to FCS in an amount that
11 compensates it for such infringements, which by law cannot be less than a
12 reasonable royalty, together with interest and costs as fixed by this Court under 35
13 U.S.C. § 284.

14 **COUNT XI: INFRINGEMENT OF U.S. PATENT NO. 10,671,949**

15 131. FCS repeats and re-alleges the allegations in the Paragraphs above as
16 though fully set forth in their entirety.

17 132. The USPTO duly issued U.S. Patent No. 10,671,949 (hereinafter, the
18 "'949 patent") on June 2, 2020 after full and fair examination of Application No.
19 15/660,685 which was filed on July 26, 2017.

20 133. FCS owns all substantial rights, interest, and title in and to the '949
21 patent, including the sole and exclusive right to prosecute this action and enforce
22 the 949 patent against infringers and to collect damages for all relevant times.

23 134. The claims of the '949 patent are not directed to an abstract idea and are
24 not limited to well-understood, routine, or conventional activity. Rather, the
25 claimed inventions include inventive components that improve upon the function
26 and operation of managing mobile field assets via wireless handheld devices.

27 135. The written description of the '949 patent describes in technical detail
28

1 each limitation of the claims, allowing a skilled artisan to understand the scope of
2 the claims and how the non-conventional and non-generic combination of claim
3 limitations is patently distinct from and improved upon what may have been
4 considered conventional or generic in the art at the time of the invention.

5 136. Based upon information and belief, FCS is informed and believes that
6 Defendant has directly infringed one or more claims of the '949 patent by making,
7 using, selling, offering to sell, importing, and/or internal and external testing of the
8 Accused Products.

9 137. Upon information and belief, Defendant has directly infringed, either
10 literally or under the doctrine of equivalents, at least claim 1 of the '949 patent.

11 138. An example of Defendant's infringement of claim 1 is provided in
12 **Exhibit K.**

13 139. FCS or its predecessors-in-interest have satisfied all statutory obligations
14 required to collect pre-filing damages for the full period allowed by law for
15 infringement of the '949 patent.

16 140. Since at least the time of receiving the original complaint in this action,
17 Defendant indirectly infringed one or more claims of the '949 patent by inducing
18 others to directly infringe said claims. Defendant has induced end-users, including,
19 but not limited to, its employees, partners, or contractors, to directly infringe, either
20 literally or under the doctrine of equivalents, the '949 patent by providing or
21 requiring use of the Accused Products. Defendant took active steps, directly or
22 through contractual relationships with others, with the specific intent to cause them
23 to use the Accused Products in a manner that infringes one or more claims of the
24 '949 patent, including, for example, Claim 1.

25 141. Such steps by Defendant included, among other things, advising or
26 directing personnel, contractors, or end-users to use the Accused Products in an
27 infringing manner; advertising and promoting the use of the Accused Products in
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1 an infringing manner; or distributing instructions that guide users to use the
2 Accused Products in an infringing manner. Defendant performed these steps,
3 which constitute induced infringement with the knowledge of the '949 patent and
4 with the knowledge that the induced acts constitute infringement. Defendant was
5 aware that the normal and customary use of the Accused Products by others would
6 infringe the '949 patent. Defendant's inducement is ongoing.

7 142. Defendant has indirectly infringed and continues to indirectly infringe
8 by contributing to the infringement of the '949 patent. Defendant has contributed
9 and continues to contribute to the direct infringement of the '949 patent by its
10 customers, personnel, and contractors. The Accused Products have special features
11 that are specially designed to be used in an infringing way and that have no
12 substantial uses other than ones that infringe one or more claims of the '949 patent,
13 including, for example, claim 1. The special features constitute a material part of
14 the invention of one or more of the claims of the '949 patent and are not staple
15 articles of commerce suitable for substantial non-infringing use. Defendant's
16 contributory infringement is ongoing.

17 143. Defendant has had knowledge of the '949 Patent since at least the time
18 of receiving the original complaint in this action.

19 144. Furthermore, on information and belief, Defendant has a policy or
20 practice of not reviewing the patents of others, including instructing its employees
21 to not review the patents of others, and thus have been willfully blind of Fleet
22 Connect's patent rights.

23 145. Defendant's actions are at least objectively reckless as to the risk of
24 infringing a valid patent and this objective risk was either known or should have
25 been known by Defendant.

26 146. Defendant's direct infringement of the '949 patent was willful,
27 intentional, deliberate, or in conscious disregard of Fleet Connect's rights under
28

1 the patent.

2 147. Defendant's aforesaid activities have been without authority and/or
3 license from Fleet Connect.

4 148. Fleet Connect is entitled to recover from Defendant the damages
5 sustained by Plaintiff as a result of Defendant's wrongful acts in an amount subject
6 to proof at trial, which, by law, cannot be less than a reasonable royalty, together
7 with interest and costs as fixed by this Court under 35 U.S.C. § 284.

8 **JURY DEMAND**

9 149. FCS hereby requests a trial by jury on all issues so triable by right.

10 **PRAYER FOR RELIEF**

11 150. FCS requests that the Court find in its favor and against Defendant, and
12 that the Court grant FCS the following relief:

- 13 a. Judgment that one or more claims of each of the Asserted Patents has been
14 infringed, either literally or under the doctrine of equivalents, by Defendant
15 or others acting in concert therewith;
- 16 b. An award of a reasonable royalty for infringement Asserted Patents;
- 17 c. A permanent injunction enjoining Defendant and its officers, directors,
18 agents, servants, affiliates, employees, divisions, branches, subsidiaries,
19 parents, and all others acting in concert therewith from infringement of the
20 '153 patent and '949 patent, or, in the alternative, an award of a reasonable
21 ongoing royalty for future infringement of these patents by such entities;
- 22 d. Judgment that Defendant accounts for and pays to FCS all damages to and
23 costs incurred by FCS because of Defendant's infringing activities and other
24 conduct complained of herein;
- 25 e. Judgment that Defendant's infringements be found willful as to the '153
26 patent and '949 patent and that the Court award treble damages for the period
27 of such willful infringement pursuant to 35 U.S.C. § 284;
- 28

- f. Pre-judgment and post-judgment interest on the damages caused by Defendant's infringing activities and other conduct complained of herein;
- g. That this Court declare this an exceptional case and award FCS its reasonable attorneys' fees and costs in accordance with 35 U.S.C. § 285; and
- h. All other and further relief as the Court may deem just and proper under the circumstances.

1 Dated: July 12, 2024

Respectfully submitted,

2 /s/ Steven W. Ritcheson

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